



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

(original to Amy)

April 29, 2009

PAID

\$ 9.50 CK# 1006 DATE 5/1/09

Gage County Register of Deeds
P.O. Box 337
Beatrice, Nebraska 68310

Ladies and Gentlemen:

Re: Request for Deed Copies

I would like to order a copy of the following deeds showing the current owners of these parcels:

For parcel 009919000, presently owned by Custom Fixtures, Inc.
Lots 1-6, Block 72, Beatrice Orig. Addition
Book 198, Page 631 ✓
Book 235, Page 214 ✓
Book 2005, Page 41111 (vacated Market St.) ✓
Cost: \$5.50

For parcel 009921000, presently owned by O & S W RTY (Omaha and Southwestern Rail Road Company)
Lots 10-12, Block 72, Beatrice Orig. Addition
Book H, Page 517 ✓
Cost: \$1.50

For parcel 009921200, presently owned by Burlington Northern & Santa Fe Railway Co.
Lots 7-9, Block 72, Beatrice Orig. Addition
Book 2003, page 0716 ✓
Cost: \$2.50

I have enclosed a check for \$9.50 to cover the cost per my telephone call to you on April 28. Please send the deed copies to:

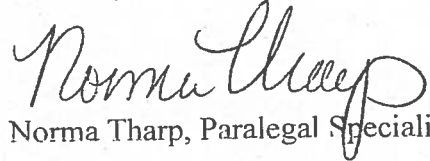
Norma Tharp, Paralegal Assistant
U.S. Environmental Protection Agency-CNSL
901 N. 5th Street
Kansas City, KS 66101



Gage County, Nebraska, Register of Deeds
April 29, 2009
Page Two

If you have any questions, please contact me at 913-551-7076 or (toll free) 1-800-223-0425, extension 7076. Thank you.

Sincerely,

A handwritten signature in cursive script, reading "Norma Tharp". The signature is written in dark ink and is positioned above the printed name.

Norma Tharp, Paralegal Specialist

Enc.
nt:5463.doc

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That GLACIER PARK COMPANY, a Delaware corporation, Grantor, for Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, to it paid by CUSTOM FIXTURES, INC., a Nebraska corporation, whose address is 201 South Second Street, Beatrice, Nebraska 68310, Grantee, the receipt of which is hereby acknowledged, does by these presents REMISE, RELEASE and FOREVER QUITCLAIM, without any covenants of warranty whatsoever and without recourse to the Grantor, its successors and assigns, unto the said Grantee, its heirs and assigns, all of its right, title and interest, if any, in and to that certain strip or parcel of land, located in the County of Gage, State of Nebraska, more particularly described on Exhibit "A" attached hereto and made a part hereof.

SUBJECT, however, to all existing interests, including but not limited to all reservations, rights-of-way and easements of record or otherwise.

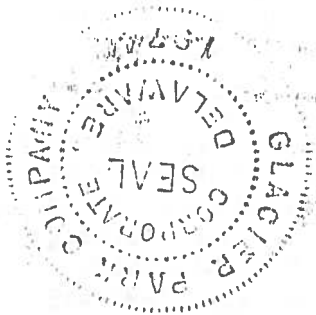
EXCEPTING AND RESERVING, however, to the Grantor, for itself, its successors and assigns, forever, all right, title and interest, legal and equitable, whatsoever, however derived, reserved or held, in and to all geothermal heat and all ores and minerals of any nature whatsoever, including, but not limited to, oil, gas, other hydrocarbons, carbon dioxide, coal, iron, gas occurring in coal formation, industrial minerals, metallic minerals, uranium, including, but not limited to, rock of a unique character (hereinafter "minerals"), in and under or which may be produced from the above-described real estate (hereinafter "Premises"), together with all the right to enter upon the Premises for the purposes of prospecting and exploring for minerals by geophysical, geochemical or other means, and for the purposes of drilling, extracting, operating and working any extraction and processing facilities by any procedures whatsoever, and taking out, removing, carrying away, the tenements, hereditaments and appurtenances. Provided, however, that the Grantee, its successors and assigns, shall be paid just and reasonable compensation for any actual physical injury or damage to the surface of said Premises and to growing crops and timber thereon caused by the exercise of any rights herein reserved. The exercise of such rights by the Grantor or its successors and assigns shall not be postponed or delayed pending reasonable efforts to agree upon, or have determined, such just and reasonable compensation.

If the premises are locally assessed, the Grantee, and for its successors and assigns, by acceptance of this deed, agrees to assume all locally assessed real estate taxes, outstanding and otherwise, and any and all past, present, pending and future assessments of every nature whatsoever, which have been or may be levied against the premises.

ALSO, the Grantee, and for its successors and assigns, by acceptance of this deed, hereby releases and forever discharges the Grantor, its successors and assigns, from any and all present or future obligations of the Grantor, its successors and assigns, including but not limited to the construction of or continued maintenance thereto of any railroad fences, snow fences, road crossings, cattle guards, gates, farm crossings, bridges, drainage or irrigation pipes, if any, located and situated on the premises herein conveyed.

TO HAVE AND TO HOLD the above described premises unto the said Grantee's, heirs and assigns, forever.

IN WITNESS WHEREOF, Glacier Park Company, has caused its corporate seal to be hereunto affixed and these presents to be executed by its duly authorized officers this 5th day of September, 1990.



GLACIER PARK COMPANY,
a Delaware corporation

BY


LARRY LEOPOLD
ASSISTANT VICE PRESIDENT

ATTEST:

BY


DENNIS L. SCHILLING
ASSISTANT SECRETARY

BOOK 235 PAGE 215

STATE OF NEBRASKA

COUNTY OF

)
) ss.
)

BOOK 235 PAGE 216

On this the _____ day of _____, 1990, before me, the undersigned officer, personally appeared _____ and _____, respectively, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: _____.

Notary Public.

STATE OF WASHINGTON)
COUNTY OF KING) ss.
)

On this 5th day of September, 1990, before me personally appeared LARRY LEOPOLD, and DENNIS L. SCHILLING, to me known to be the Assistant Vice President and Assistant Secretary, respectively, of Glacier Park Company, a Delaware corporation, the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my seal the day and year first above written.



Jed Clawson
JED CLAWSON
Notary Public in and for the
State of Washington
Residing at: BELLEVUE
My commission expires: 10-15-91

I CERTIFY UNDER PENALTY OF FALSE
SWEARING THAT AT LEAST THE
LEGALLY CORRECT AMOUNT OF
DOCUMENTARY STAMPS HAVE BEEN
PLACED ON THIS INSTRUMENT.

EXHIBIT A

NEBRASKA DOCUMENTARY STAMP TAX	
Date	10-10-90
\$ 22.50	By

Lots 1, 2, 3, 4, and 5 of Block 72, of the
original Town of Beatrice, Gage County, Nebraska.

State of Nebraska, Gage County ss. En-
tered in Numerical Index and filed for
record the 10th day of Oct., 1990..
at 4:00 o'clock P.M. and recorded in
Book 235 of DEEDS
on page 214

NUM
ALPHA
PAGE
M

Register of Deeds

FEE: \$20.50 Paid by Neb. Title

RETURN: Custom Fixtures, Inc., 201 South 2nd St., Beatrice, NE 68310

BOOK 235 PAGE 217

CORPORATION WARRANTY DEED

The grantor **SCHOTTLE MODERN FIXTURES, INC.,**

a corporation organized and existing under and by virtue of the laws of the State of **Nebraska**

in consideration of \$1.00 and other valuable considerations,

received from grantee, does grant, bargain, sell convey and confirm unto **CUSTOM FIXTURES, INC.,**
a Nebraska corporation,

herein called the grantee whether one or more, the following described real property in Beatrice

.....Gage..... County, Nebraska:

Lot Six (6), Block Seventy-two (72), Original Town, now
City of Beatrice, Gage County, Nebraska, as surveyed,
platted and recorded.

STATE OF NEBRASKA } ss
County of Gage }

Filed for record and entered
in Numerical Index July 6
19 66 at 3:45 o'clock P.M.
Recorded in Book 198 of
Deeds Page 631

Donald J. Hawley
REGISTER OF DEEDS

By.....Deputy



To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the grantee and to grantee's ~~heirs~~ ^{successors} and assigns forever.

And the grantor for itself and its successors does hereby covenant with the grantee and with grantee's ~~heirs~~ ^{successors} and assigns that grantor is lawfully seised of said premises; that they are free from encumbrance

that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend the title to said premises against the lawful claims of all persons whosoever.

In witness whereof, grantor has hereunto caused its corporate seal to be affixed and those presents signed by its President.

Dated July 5th 1966.

SCHOTTLE MODERN FIXTURES, INC.

By *Diedrich Pollmann* President

STATE OF NEBRASKA, County of **Gage**.....

Before me, a notary public qualified in said county, personally came **Diedrich Pollmann,**
President of

Schottler Modern Fixtures, Inc.,, a corporation,
known to me to be the President and identical person who signed the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation and that its corporate seal was thereto affixed by its authority.

Witness my hand and notarial seal on July 5th 1966.

Dan L. Meyer Notary Public.

My commission expires January 14, 1971.

BOOK 198 PAGE 631

2005-4111
City of Beatrice
www.ci.beatrice.ne.us
402-228-5200
400 Ella Street
Beatrice, Nebraska 68310

2005-4111

ORDINANCE NUMBER 05-18

An ordinance to vacate a portion of Market Street within the City of Beatrice, Gage County, Nebraska; to reserve a utility easement; to provide for the repeal of conflicting ordinances; and to provide for publication in pamphlet form and an effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BEATRICE, NEBRASKA:

SECTION 1. That the Mayor and City Council of the City of Beatrice, Nebraska find and determine that it is in the best interests of the City that a portion of Market Street within the City of Beatrice, Gage County, Nebraska, be vacated and closed, being more particularly described as follows:

Beginning at the East line of Blocks 67 and 72 to the East line of the alley in Blocks 67 and 72 in Beatrice Original Town, an addition to the City of Beatrice, Gage County, Nebraska.

SECTION 2. That said portion of Market Street within the City of Beatrice, Gage County, Nebraska is hereby vacated and closed, expressly reserving unto the City of Beatrice, Nebraska, a municipal corporation and its successors and assigns, the perpetual easement and right to construct, reconstruct, alter and perpetually maintain and operate sanitary sewer mains, aerial and underground electric power lines, and water mains, together with the necessary manholes, poles, cables, wires, crossarms, brackets, underground conduits, overhangs, anchors, inlets, sanitary sewer pipe, etc., with the right to enter the portion of the street hereinabove described in Section 1 for the purpose of repairing, replacing, operating and maintaining said utilities in, through, over, under, and above the portion of the street

2005- 4111

hereinabove described in Section 1, in accordance with the laws of Nebraska governing the vacating and closing of streets, and the City Clerk is hereby directed to certify the same to the Register of Deeds of Gage County, Nebraska, and to designate upon the official map of the City the vacating and closing thereof.

SECTION 3. That the portion of Market Street so vacated shall revert to the adjacent titleholders as provided by law.

SECTION 4. That the cost of the vacation of the aforesaid street located in Blocks 67 and 72, Beatrice Original Town, an addition to the City of Beatrice, Nebraska including the recording and publication of this ordinance provided therefore, shall be the cost of the applicant for said vacation.

SECTION 5. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. That this ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

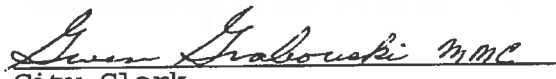
PASSED AND APPROVED this 5th day of July, 2005.





Mayor

Attest:



City Clerk

2005- 4111

AFFIDAVIT OF PUBLICATION

STATE OF NEBRASKA }SS.
GAGE COUNTY

Lorene Wallman, being first
duly sworn on oath, says that she
he/she is the Chief Clerk
of the Beatrice Daily Sun, a legal daily newspaper printed
& published in Gage County, Nebraska, and having a
bonafide circulation of more than 300 copies of each issue;
that the notice, a true copy of which is hereto attached was
published in each and every Saturday issue of said
newspaper for Saturday day of
July, 2005 and the last
publication being on the 9th day of
July, 2005; that said newspaper had been
published in whole or in part in the office of said county
from which distribution took place, for more than 52
consecutive weeks prior to the publication of said notice.

Lorene Wallman

Subscribed in my presence and sworn to before me this

9th day of July, 2005

LaVonna Moslander

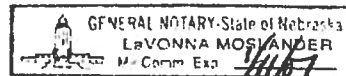
Notary Public

My commission expires 1/11/07

First week..... \$12.60

Subsequent weeks.....\$

Total.....\$12.60



NOTICE OF PASSAGE AND
PUBLICATION OF ORDINANCE
Public notice is hereby given that
the Mayor and Council of the City
of Beatrice, Nebraska, at their
meeting on July 5, 2005, have
passed and approved Ordinance
Number 05-18 the title of which
reads as follows:
"An ordinance to vacate a portion
of Market Street within the City of
Beatrice, Gage County, Nebraska;
to reserve a utility easement; to
provide for the repeal of conflicting
ordinances; and to provide for pub-
lication in pamphlet form and an
effective date of this ordinance."
Said ordinance has been published
in pamphlet form. Copies of the
Ordinance as so published are
available at the office of the City
Clerk, 400 Ella Street, Beatrice,
Nebraska.

Gwen Grabouski MMC
City Clerk

July 9, 2005

2003- 0716

72-0.T.

Pages 3 Doc Tax \$ 17.50 EX#
 Fee Amt \$ 16.00 Ck Pd \$ 33.50
 WHEN RECORDED MAIL TO Refund \$

Paid by BURLINGTON Ck # 13398302
 Ck #

The Burlington Northern
 Santa Fe Railway Company
 2500 Lou Menk Drive
 Fort Worth, Texas 76131-2830

CUSTOMER CODE

RETURN TO BURLINGTON NORTHERN SANTA FE
RAILWAY
BOX 961050
FORT WORTH TX 76161-9853
(ENVELOPE)

TRACT INDEX
 COMPUTER
 COMPARED
 PAGED

State of Nebraska, Gage County ss En-
 tered in Numerical Index and filed for
 record the 10th day of Febr, 20 03
 at 1:00 o'clock P. M., and recorded as

INSTRUMENT NO

2003- 0716
Ruth E. Edwards
 Register of Deeds

By Deputy**QUITCLAIM DEED**

NEBRASKA DOCUMENTARY STAMP TAX	
Date <u>02-10-2003</u>	
\$ <u>17.50</u>	By <u>RS</u>

THIS INDENTURE WITNESSETH: That **ANT, LLC**, a Delaware limited liability company, of 201 Mission Street, 2nd Floor, San Francisco, California 94105, ("Grantor"), for and in consideration of Ten and No/100 Dollars, and other good and valuable consideration, in hand paid, conveys and quitclaims, without any covenants of warranty whatsoever, and without recourse to Grantor, its successors and assigns, to **THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY**, a Delaware corporation, and its successors and assignees, whose address is 2500 Lou Menk Drive, Fort Worth, Texas 76131-2830 ("Grantee"), all of Grantor's right, title and interest, if any, in real estate (as defined in Neb. Rev. Stat. 76-201) and improvements located in the County of Gage, State of Nebraska, as such real property ("Premises") is more particularly described in Exhibit "A", consisting of one (1) page, attached hereto and made a part hereof.

TOGETHER with all tenements, hereditaments and appurtenances, if any, on the Premises, and any reversions, remainders, rents, issues or profits on the Premises.

SUBJECT, however, to all valid existing interests, including but not limited to, reservations, rights of way and other encumbrances of record or otherwise.

TO HAVE AND TO HOLD the same unto Grantee, and its successors and assignees, forever.

579

2003- 0716

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be signed by its authorized representative, attested by its Assistant Secretary, on the 25th day of October, 2002. JAB
SF

ANT, LLC, as Grantor
By: The South Portal Company, a
Delaware corporation, its sole member

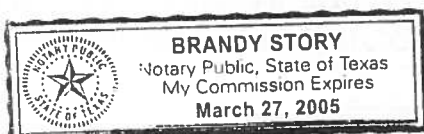
By: James A. Ball
James A. Ball
Director

ATTEST:

By: Sydney Freeman
Sydney Freeman
Assistant Secretary

STATE OF TEXAS §
 § ss.
COUNTY OF DALLAS §

The foregoing instrument was acknowledged before me on this 29th day of October, 2002, by James A. Ball, Director and Sydney Freeman, Assistant Secretary, of ANT, LLC, By; The South Portal Company, a Delaware corporation, its sole member, on behalf of said limited liability company.



Brandy Story
Notary Public:

My commission expires: 3/27/05

2003- 0716

EXHIBIT "A"

Parcel # 1108

That portion of The Burlington Northern and Santa Fe Railway Company's (formerly Chicago, Burlington and Quincy Railroad Company) Station Ground Property at Beatrice, Nebraska, being of variable width on each side of said Railway Company's Main Track centerline as now located and constructed upon, over and across lots 7 and 8 of Block 72 of the Town of Beatrice, Gage County, Nebraska, according to the recorded plat thereof and bounded on the East by a line drawn parallel with and distant 28.0 feet Westerly of, as measured at right angles from said Railway Company's Track No. 28 centerline, as now located and constructed upon, over and across said Block 72, and bounded on the West by a line drawn parallel with and distant 9.1 feet Easterly of, as measured at right angles from said Railway Company's Track No. 4 centerline, as located and constructed, and bounded on the North by a line (hereinafter referred to as Line "A") drawn at right angles to said Track No. 4 centerline and also through the Northeast corner of said Block 72, and bounded on the South by a line drawn parallel with and distant 77.0 feet Southerly of, as measured at right angles from the above mentioned Line "A".